

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-11, 13-23, and 25-29 are pending in the application, with claims 1, 11, 23, 32, and 45 being the independent claims. The amendments above are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 102

Claims 1-6, 11-18, 23, 25-27, 32-37, and 45-51 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 6,085,853 to Wernick. Applicant respectfully traverses the rejection.

Independent claim 1 (and claims 2-6 that depend therefrom) recites that the non-steering axles synchronously interlock with the first transmission member. The Examiner relies on shaft (12) of Wernick as the first transmission member and shaft (11) of Wernick as the second transmission member recited in claim 1 (see page 2, lines 16-18 of the Office Action). However, the non-steering axle (1) of Wernick synchronously interlocks with the second transmission member (11), not the first transmission member as recited in claim 1. Independent claim 1 also recites that the second transmission member is synchronously interlocked with the steering axle. However, the second transmission member (11) of Wernick must pass through an inter-axle differential (9)

before connecting to the shaft (13) that is synchronously interlocked with the steering axle. Therefore, second transmission member (11) of Wernick is not synchronously interlocked with the steering axle.

Independent claim 11 (and claims 12-18 that depend therefrom) recites that each of the input shaft, the output gear, and the output shaft synchronously interlocks with at least one of the three or more axles. The Examiner relies on shaft (6) of Wernick as the input shaft recited in claim 11, an output gear of differential (8) as the output gear recited in claim 11, and one of shafts (11/12) as the output shaft recited in claim 11 (see Office Action, page 3, lines 8-11). However, while the output shaft (12) of Wernick synchronously interlocks with the axles (2, 3, 4) and the front output bevel gear (37) of the shaft (11) synchronously interlocks with the axle (1), there is no axle of the vehicle that synchronously interlocks with the input shaft (6). Accordingly, Wernick does not disclose the claimed invention.

Independent claim 23 (and claims 25-27 that depend therefrom) recites that each of the three or more axles synchronously interlocks with one of the output shafts or the input gear. The Examiner relies on the gear associated with input shaft (6) as the input gear, and the bevel gears associated with shafts (11/12) as the pair of output shafts with differential side gears recited in independent claim 23 (see Office Action, page 3, lines 8-11). Wernick does not disclose the recited feature that each of the three or more axles synchronously interlocks with one of the output shafts or the input gear, as the steering axle (4) of Wernick does not synchronously interlock with either of shafts (11/12) or the gear associated with input shaft (6). Accordingly, Wernick does not disclose the claimed invention.

Regarding independent claim 32 (and claims 33-37 that depend therefrom), the Examiner relies on shaft (12) and shaft (11) of Wernick as the first and second transmission members, respectively, recited in claim 32 (see Office Action, page 2, lines 16-18). However, in Wernick, power from the engine reaches shafts (11/12) simultaneously instead of reaching the first transmission member and then the second transmission member as recited in claim 32. Further, the Examiner relies on differential unit (8) of Wernick as the main transaxle device recited in claim 32. However, claim 32 requires that the transaxle device include an axle with drive wheels, which main differential unit (8) of Wernick does not. Accordingly, Wernick does not disclose the claimed invention.

Regarding independent claim 45 (and claims 46-51 that depend therefrom), the Examiner relies on gear (34) as the input gear and shafts (11) and (12) as the output shafts (see Office Action, page 3, lines 8-11). However, while independent claim 45 recites that each of the input gear and output shafts synchronously interlock with at least one of the axles of the main transaxle device and the input means of the transaxle devices other than the main transaxle, gear (34) of Wernick is not synchronously interlocked with the main transaxle (10) or the input means to any other axles (12/13) because it must engage differential (8). Therefore, the input gear (34) is not synchronously interlocked with any of the axles, as recited in independent claim 45. Accordingly, Wernick does not disclose the claimed invention.

For the reasons stated above, Applicant respectfully requests that the rejections be withdrawn.

Rejections under 35 U.S.C. § 103

Dependent Claims 7-10, 19-22, 28-31, 39, 40, and 52-59 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Wernick in view of U.S. Pat. No. 4,462,721 to Stieg (claims 7-10, 19-22, 28-31, 41-44, and 54-57) or Wernick in view of U.S. Pat. No. 5,848,664 to Kaspar (claims 39 and 52) or Wernick in view of Kaspar and U.S. Pat. No. 4,639,008 to Krettenauer (claims 40 and 53) or Wernick in view of U.S. Pat. No. 4,823,897 to Wohlfarth (claims 58 and 59). Each of the above-listed claims depend from independent claims 1, 11, 23, 32, or 45 and are therefore allowable for at least the same reasons discussed above with respect to the independent claims. Applicant therefore respectfully requests that the rejections be withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to be 'ALF', with a long horizontal line extending to the right.

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